

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD)(SN) ECF Case
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This document relates to:

*Burnett, et al. v Al Baraka Inv. & Dev. Corp., et al.*, 03-cv-9849 (GBD)(SN)

**PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL**  
**PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(i)**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), the following Plaintiffs hereby voluntarily dismiss without prejudice their claims against all Defendants in *Burnett, et al. v. Al Baraka Inv. & Dev. Corp., et al.*, Case No. 03-cv-9849 (GBD)(SN):

1. **John J. Acerno**, Individually, as an Injured Party (initially filed: ECF No. 26, 29; 1:02-cv-01616-JR; P1313, November 22, 2002);
2. **Kristin M. Brethel**, Individually, as Child of Daniel J. Brethel, Deceased (initially filed: ECF No. Hand Filed; 1:03-cv-9849; P5004, March 10, 2004);
3. **Gary E. Carpentier**, Individually, as an Injured Party, (initially filed: ECF No. Hand Filed; 1:03-cv-9849; P5016, March 10, 2004);
4. **Nancy A. Cosban**, Individually, as Parent of Daniel E. Stewart, Deceased (initially filed: ECF No. 77; 1:02-cv-01616-JR; P2574, February 21, 2003);
5. **Russel F. Cosban-Stewart**, Individually, as Sibling of Daniel E. Stewart, Deceased (initially filed: ECF No. 77; 1:02-cv-01616-JR; P2710, February 21, 2003);
6. **Jessica M. Feldman**, Individually, as Fiancée of Scott T. Coleman, Deceased (initially filed: ECF No. 232; 1:02-cv-01616-JR; AP239 (DOE 106), August 1, 2003);
7. **Gerald Hardacre** Deceased (initially filed: ECF No. 313; 1:02-cv-01616-JR; P4655, September 10, 2003);<sup>1</sup>
8. **Nancy Kelly**, Individually, as Ex-Spouse of James M. Roux, Deceased (initially filed: ECF No. 313; 1:02-cv-01616-JR; P4721, September 10, 2003);

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<sup>1</sup> Judith Kay Hardacre was the Personal Representative of the Estate of Gerald Hardacre; however, she has since passed away, and the remaining family members have chosen not to pursue the estate claim.

9. **Manuel D. Molina**, Deceased (initially filed: ECF No. 26, 29; 1:02-cv-01616-JR at 2188, November 22, 2002);
10. **Patricia M. Nussberger**, Individually, as Spouse of Robert Harry Nussberger, Deceased (initially filed: ECF No. 1; 1:02-cv-01616-JR; AP46 (DOE 23), August 15, 2002);
11. **Alan M. Nussberger**, Individually, as Child of Robert Harry Nussberger, Deceased (initially filed: ECF No. 1; 1:02-cv-01616-JR; AP48 (DOE 23), August 15, 2002);
12. **Robert A. Nussberger**, Individually, as Child of Daniel E. Stewart, Deceased (initially filed: ECF No. 1; 1:02-cv-01616-JR; AP47 (DOE 23), August 15, 2002);
13. **David Bartolo Rodriguez**, Deceased (initially filed: ECF No. 77; 1:02-cv-01616-JR; P2604, February 21, 2003);
14. **Ana Rosario**, Individually, as Domestic Partner of Emencio Dario Hidalgo, Deceased (initially filed: ECF No. 26, 29; 1:02-cv-01616-JR at 2045, November 22, 2002);
15. **Hugo Manuel Sanay-Perefiel**, Deceased, (initially filed: ECF No. Hand Filed; 1:03-cv-9849; P5251, March 10, 2004);
16. **Richard W. Stewart**, Individually, as Parent of Daniel E. Stewart, Deceased (initially filed: ECF No. 77; 1:02-cv-01616-JR; P2709, February 21, 2003);
17. **James R. Stewart**, Individually, as Sibling of Daniel E. Stewart, Deceased (initially filed: ECF No. 77; 1:02-cv-01616-JR; P2708, February 21, 2003);
18. **D.C.**, Individually, as Child of Rosemarie C. Carlson, Deceased (initially filed: ECF 432, P4787, December 19, 2003; 8393-1, at 73, 8487);
19. **J.D.C.**, Individually, as Child of Rosemarie C. Carlson, Deceased (initially filed: ECF 432, P4787, December 19, 2003; 8393-1, at 73, 8487);
20. **K.C.**, Individually, as Child of Rosemarie C. Carlson, Deceased (initially filed: ECF 432, P4787, December 19, 2003; 8393-1, at 73, 8487);
21. **S.R.C.**, Individually, as Child of Rosemarie C. Carlson, Deceased (initially filed: ECF 432, P4787, December 19, 2003; 8393-1, at 73, 8487);

This Notice of Voluntary Dismissal is limited only to dismissing the claims as noted above from this action. All other Plaintiffs maintain and continue to prosecute their claims against the Defendants in the above-captioned case.

Dated: March 4, 2024

Respectfully submitted,

MOTLEY RICE LLC

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